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IN THE UNITED STATES DISTRICT COURT
FOR DISTRICT OF OREGON
PENDLETON DIVISION

GREATER HELLS CANYON COUNCIL,
an Oregon nonprofit corporation,
and **OREGON WILD**, an Oregon nonprofit
corporation,

Plaintiffs,

v.

KRIS STEIN, District Ranger, Eagle Cap
Ranger District, Wallowa-Whitman National
Forest, in her official capacity; and **UNITED
STATES FOREST SERVICE**, an agency of
the United States Department of Agriculture,

Defendants,

and

WALLOWA COUNTY, a political
subdivision of the State of Oregon,

Defendant-Intervenor.

Case Number: 2:17-cv-00843-SU

**DECLARATION OF VERONICA
WARNOCK IN SUPPORT OF
PLAINTIFFS' MOTION FOR
INJUNCTION PENDING APPEAL**

I, Veronica Warnock, state and declare as follows:

1. I have been the Conservation Director for Greater Hells Canyon Council (“GHCC”), and GHCC member, since 2012. In 2012, I also moved to La Grande, where I continue to live and work. I have immediate family in Wallowa County and have been visiting there my whole life. On my first trip there, I was only a few months old. My parents took me to visit my grandparents and go backpacking in Hells Canyon. My parents now have a house in Wallowa County that I visit on a regular basis.

2. Over the years, I have spent a considerable amount of time exploring the Wallowa-Whitman National Forest, both in a professional and personal capacity. For example, I field check proposed Forest Service projects in order to inform NEPA comments I write and attend formal Collaborative field trips. I also enjoy visiting our forests to rejuvenate. I spend all of the free time I can on our local public lands. The work I do can be emotionally taxing. Spending time with my family in the woods camping, mushroom picking, and hiking renews and energizes me. I especially love sharing my favorite places on the forest with my daughter who will be two years old this winter.

3. One place very special to me is the Lostine Canyon. The forests here are beautiful and diverse, with many large trees. I have walked in closed canopy moist mixed conifer forests with very little understory and a diversity of tree sizes with most being medium to large. Other places in the canyon, there have been recent disturbances, such as a landslide, and the forest is much denser with young trees. The amount of diversity in such a small area is incredible.

4. I have hiked and camped in the Lostine Project area on numerous occasions. Some of my most memorable hikes in the Eagle Cap Wilderness began with a night of camping in the Lostine Project area. One night over twenty years ago at the Two Pan Campground I stayed up way too

late and read Rachel Carson's *Silent Spring* cover to cover by flashlight in my tent listening to the Lostine River flow by. That book inspired me to focus on environmental studies in college and work in the conservation field. When people ask me why I pursued a career as an environmental advocate, I always tell them about that night and the impact it had on me.

5. I have also visited the proposed logging units many times. I've brought my daughter along with me at least five times and hiked around with her in a backpack. I want her to grow up knowing and loving the Lostine Canyon as I do.

6. I always hope to catch a glimpse of elk, bear, pine marten and other wildlife that live here. I dream of seeing a wolverine as well – this incredibly rare species has been documented in the Canyon and the adjacent Eagle Cap Wilderness – the only place in Oregon. I also know through my work, that the Lostine Canyon is home to more species of the small, rare, fern-like plant, moonwort, than any other place in the United States. Botanists and others come from all over to search for moonworts in the Lostine Project area. I love knowing these plants are here and hope to find some myself.

7. I am deeply concerned that the logging proposed under the Lostine Project will destroy my chances of ever seeing the moonworts and wolverine. In addition to the proposed reduction of up to 60 percent of the volume of the forest – and more in the 18 acres of “patch” or essentially clearcuts, many large “danger” trees will be felled—trees that are not in striking distance of the road. This will be implemented with the use of heavy machinery and require over 20 “temporary” roads to be constructed. These activities will have adverse impacts on rare plants, wildlife, soils, and aesthetics.

8. I have visited the project area several times since the Forest Service marked the commercial logging units. Even more trees than I anticipated are planned to be removed. So

much so, the logging will convert the dense moist forests with little understory in the Canyon to open dry stands full of underbrush and small saplings. I am concerned that this will increase the risk of high intensity fire in the Canyon. These stands will be unable to retain as much moisture due to the increase in solar radiation, moisture that stops and slows down wildfire. Further, the stands will have much more fine fuels—the young trees and shrubs that will grow with the increased sunlight—and create conditions for wildfire to move quicker and hotter through the forest.

9. While the project doesn't authorize the commercial logging of live trees equal to or larger than 21" in diameter at breast height (dbh), visits to the commercial logging units after all the trees have been marked for cut in preparation to advertise the project for sale, revealed that many large trees (over 21" dbh) in the Lostine Project area have been marked as "danger" trees and identified for removal. Most, if not all of these trees, do not appear to be within striking distance of the Lostine River road (one and a half times the total tree height from a road) or at risk of falling campground, trail, or other areas visited by people. I assume the trees I observed were identified as posing a hazard to loggers when they are operating big heavy machinery in the harvest units and that is why they were marked. If not for the commercial logging, these trees would not pose a hazard to people or property and would not have to be removed.

10. I am concerned that the removal of these large trees will make the forests inhospitable to species who rely upon these trees for some part of their life cycle. Large and old structure is the backbone of any healthy forest in northeastern Oregon. These trees provide essential habitat for a variety of species and are some of the most fire resistant on the landscape. Their value does not diminish when they die from natural disturbances like insects and disease and become snags and then down logs in the forest. In these roles they continue to provide unique habitats and affect

wildfire behavior positively. Large and old structure—both dead and alive—is severely deficient in the region especially when you look at the entire landscape.

11. I am also concerned that the authorized logging may destroy wolverine foraging and prey habitat, and eliminate its protected connectivity corridors to denning habitat in the snow-covered peaks of the Eagle Cap Wilderness. The wolverine is a critically imperiled species which, thankfully, is currently proposed for federal protections under the Endangered Species Act as a threatened species. According to recent remote camera monitoring *that the Forest Service helped fund*,¹ the Lostine Project area and adjacent wilderness are the *only* place wolverine have been confirmed in Oregon in over two decades. For reasons unknown to me, the Forest Service failed to acknowledge that the wolverine was proposed for federal listing at the time of its decision-making for the Lostine Project, erroneously stating that no species proposed for federal listing occur in the Project area. Moreover, the Forest Service ignored the monitoring data it funded and concluded the Project would have zero impact on the wolverine and its habitat, which can only occur if there are no wolverine using the area. I am incredulous that the Forest Service chose not to address the potential impacts of the proposed severe logging on this incredibly rare species.

12. Also, of great concern to me, is knowing that the Forest Service did not survey most of the moonwart habitat in the Lostine Project area. I only know this because I obtained the survey information through a Freedom of Information Act (“FOIA”) request after the Forest Service refused to willingly share rare plant and wildlife survey information with me. The FOIA

¹ A.J. Magoun, P. Valkenburg, C.D. Long, and J.K. Long. 2013. *Monitoring Wolverines in Northeast Oregon, January 2011- December 2012, Final Report*. I found, and downloaded, this report from The Wolverine Foundation’s website <http://wolverinefoundation.org/resources/completed-reports/>

response enabled me to determine the Forest Service had done NO surveying of any wildlife and little surveying of the rare moonwort plants. The agency conducted no plant surveys of the project area outside of the commercial logging units and only some of the commercial units, despite knowing plants have been previously documented in some of these areas. I cannot believe the Forest Service, in what seems a rush to get out the cut, is jeopardizing not only the visual beauty of this spectacular Canyon, but also the rare plants and wildlife that make it so special. I also learned about many other details of the Project and lack of analysis by the agency in reviewing documents responsive to this FOIA request, not from the Forest Service itself. For example, this is how I learned about the number of temporary roads that would be built within the Lostine Wild and Scenic River Corridor.

13. If this project goes through, the uniqueness of this Canyon, its rare plants and wildlife, its relatively undisturbed moist forests full of large trees, and other aspects that make it so special for me, will be altered for years to come, possibly forever. My interests in being here and sharing it with my daughter will be harmed for the rest of my life.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 27th day of September 2018.

s/ Veronica Warnock
Veronica Warnock